HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition no. 1139 (S/S) 2005

Smt. Pushpa Naithani W/o Sri Hem Chandra Naithani,
Presently posted as Bal Viaksh Adhikari,
Kashipur,
District Udham Singh Nagar. ----Petitioner.

Vs.

1. Secretary, Mahila Sashaktikaran Evam Bal Vikas,
   Uttaranchal, Dehradun.
2. Director of Mahila Sashaktikaran Evam Bal Vikas,
   D- 47, Sector-4,
   Defence Colyny, Dehradun. ----Respondents.

Sri Syed Nadeem, learned counsel for the petitioner.
Learned Standing Counsel for respondents.

Hon'ble M.M.Ghildiyal, J.

Heard Sri Syed Nadeem, learned counsel for the petitioner and learned Standing Counsel of the State.

The petitioner, who is a Mahila Bal Vikas Adhikari, has challenged the transfer order dated 30.06.2005 by which she has been transferred from Kashipur, District Udham Singh Nagar to Chaukhutia, district Almora.

The ground on which the petitioner has attacked the impugned transfer order is that she has been transferred thrice within the span of one year & four months. On 10.02.2004, the petitioner was transferred from Nagnath Pokhari, district Rudraprayag to Gadarpur district Udham Singh Nagar, again on 03.11.2004 she has been transferred from Gadarpur to Kashipur district Udham Singh Nagar. In pursuance to the aforesaid transfer order she had joined on the places of the transfer but again on 30.06.2005, she has been transferred from

Kashipur district Udham Singh Nagar to Chaukhutia district Almora. From February 2004 to June 2005 the petitioner has been transferred thrice, which shows that the respondents transferred the petitioner frequently.

Perusal of the record reveals that the petitioner has been transferred thrice, within the span of one year & four months. The policy of the Government is that though the transfer can be made in exigency of service, but not frequently. The case of the petitioner falls within the category of frequent transfer. In these circumstances, I direct the petitioner to move representation, alongwith a certified copy of this order, before the respondent no. 2 within a period of 15 days from today and after receipt of the representation, the respondent no. 2 i.e. the Director, Mahila Sashaktikaran Evam Bal Vikas, Dehradun shall decide the same within a period of six weeks from the date of receiving the representation. Till the decision is taken on the representation of the petitioner she shall not be relieved from Kashipur, district Udham Singh Nagar.

With these directions, the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

August 11, 2005:
NCM: